

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR**

**Civil Application (CAS) No. 448 of 2020**

**in**

**Second Appeal (SA) No. 107 of 2019**

**Laxman S/o Tulshiramji Phalkey and others**

**Versus**

**Gowardhan S/o Shankarrao Deshmukh and others**

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

Shri V.D.Muley, Advocate for the appellant.

Shri M.Z.Shekhani, Advocate h/f Shri Mohd. Ateeque,  
Advocate for the legal heirs of respondent no.2.

**CORAM : ANIL S. KILOR, J.**

**DATED : 10<sup>th</sup> FEBRUARY, 2023.**

Issue notice to the proposed legal heirs of  
respondent no.2.

Shri M.Z.Shekhani, learned counsel waives  
service of notice on behalf of proposed legal heirs of  
respondent no.2. He has no objection to allow the  
present application for condonation of delay.  
Accordingly, for the reasons stated in the application,  
the delay in filing application for bringing legal  
representatives of respondent no.2 on record is  
condoned.

The civil application is allowed and  
disposed of.

**Civil Application (CAS) No. 449 of 2020 and Civil  
Application (CAS) No. 450 of 2020**

Issue notice to the proposed legal heirs of  
respondent no.2.

Shri M.Z.Shekhani, learned counsel waives  
service of notice on behalf of proposed legal heirs of  
respondent no.2. He has no objection to allow the  
present applications. Accordingly, for the reasons stated  
in the applications and as the proposed legal heirs of  
respondent no.2 have no objection to allow these  
present applications, both civil applications are allowed.

Necessary amendments be carried out  
within two weeks from today.

Both civil applications are disposed of.

**[ANIL S. KILOR, J.]**

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by  
SACHINDANAND  
K NAIR  
Date: 2023.02.14  
17:50:11 +0530